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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,082	08/21/2006	Bernard Dubourg	4590-564	4160
33308 7590 04/22/2010 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD, SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER				
TRAN, DALENA				
ART UNIT		PAPER NUMBER		
3664				
MAIL DATE		DELIVERY MODE		
04/22/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/590,082

Applicant(s)

DUBOURG, BERNARD

Examiner

Dalena Tran

Art Unit

3664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2010.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3 and 8-13 is/are rejected.
7) ☒ Claim(s) 2,4-7 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SI.08)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Interval Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10590082	8/21/06	DUBOURG, BERNARD	4590-564

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD, SUITE 300
ALEXANDRIA, VA 22314

EXAMINER

Dalena Tran

ART UNIT	PAPER
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3664

20100421

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

DETAILED ACTION

Notice to Applicant(s)

1. This office action is responsive to the amendment filed on 1/12/10. As per request, claims 1, 6, and 13 has been amended. Claims 1-20 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, and 8-9, are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson et al. (6571166).

As per claim 1, Johnson et al. disclose an optoelectronic taxi-assistance device for aircraft in an airport, device comprising : a head-up display and a computer dedicated to head-up display, computer including means for displaying on the head-up display safety symbols concerning either the position of the aircraft on the airport taxiways or the maneuver to be performed by the aircraft on said taxiways, and, if the aircraft turns, the safety symbols include an arrow of variable size (see columns 3-4, lines 34-32, the triangular shaped symbols 235 in figure 2 has variable size).

As per claim 3, Johnson et al. disclose the safety symbols also include, on both sides of the arrow, a first indication relating to the taxiway on which the aircraft is located before the turn and a second indication relating to the taxiway located on coming out of the turn (see columns 3-4, lines 66-15).

As per claims 8-9, Johnson et al. disclose the safety symbols include an arresting barrier, arresting barrier occupying a precise and constant virtual position on an airport taxiway; and the arresting barrier includes at least one stand surmounted by a grille composed of inclined and parallel bars between two horizontal bars (see column 3, lines 34-65; and column 4, lines 33-53).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10-13, are rejected under 35 U.S.C.103(a) as being unpatentable over Johnson et al. (6571166) in view of Vandevoorde et al. (6246342).

As per claim 10, Johnson et al. do not disclose distance separating the aircraft from the virtual position of the arresting barrier. However, Vandevoorde et al. disclose the safety symbols also include at least a first stop indicator and an indication of the distance separating the aircraft from the virtual position of the arresting barrier (see column 6, lines 15-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to

modify the teach of Johnson et al. by combining distance separating the aircraft from the virtual position of the arresting barrier for guiding aircraft in taxiway.

As per claim 11, Vandevoorde et al. disclose the safety symbols also include at least a first and a second stop indicator-flashing when the distance separating the aircraft from the virtual position of the arresting barrier is less than a set value (see columns 6-7, lines 52-67).

As per claims 12-13, Johnson et al. do not disclose stop indicators are displayed in reverse video. However, Vandevoorde et al. disclose the stop indicators are the word STOP; wherein the stop indicators are displayed in reverse video (see column 2, lines 25-60; and column 3, lines 16-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Johnson et al. by combining stop indicators are displayed in reverse video for airport traffic control.

6. Claims 2, and 4-7, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Remarks

7. Applicant's argument filed on 1/12/10 has been fully considered. Upon updated search, the new ground of rejection has been set forth as above.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The examiner can normally be reached on M-W (in a first week of a bi-week), and T-R (in a second week of bi-week) from 7:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi H. Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dalena Tran/
Primary Examiner, Art Unit 3664

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Art Unit: 3664

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